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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,331	06/05/2001	Garth F. Schmeling	10007050-1	7522

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EXAMINER

DELGADO, MICHAEL A

ART UNIT PAPER NUMBER

2144

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/875,331		SCHMELING ET AL.	
	Examiner		Art Unit	
	Michael S. A. Delgado		2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-17,19 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-17,19 and 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Response to Arguments***

Applicant's arguments, see Applicant Argument, page 8, line 5 – page 9, line 9, filed 2/01/2006, with respect to the rejection of claims 1, 3-17, 19 and 21-25 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent 6,892,230 by Gu et al. In response to the argument that the limitation "a device configured to announce its presence to the management application on the server upon connection of the device to the network" feature of the applicants invention is not taught by the prior art. In US Patent 6,892,230 by Gu et al, a Simple Service Discovery Protocol (SSDP) is taught in which a discovery layer is used by a device to announce its presence and its capability to a Rehydrator (management application). (Col 10, lines 45-60) (Col 22, lines 15-30).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3-17, 19 and 21-25 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,892,230 by Gu et al.

In claim 1, Gu teaches about a device management system for use with a computer network, the system comprising (Fig 1):

a server (Fig 1, 102) configured to execute a management application “Rehydrator of Control Point”, the server being configured to connect to the network “peer to peer networking” (Col 5, lines 20-30) (Col 7, lines 1-15); and

a device configured (Fig 1, 103) to announce its presence to the management application on the server upon connection of the device to the network (the discovery process) (Col 3, lines 48-55) (Col 7, lines 30-45); and

at least one agent “Service Control Protocol Declaration” /codelet “Controlled Device module” pair including an agent/codelet pair including an agent and a codelet, wherein the device is configured to execute the codelet and the management application is configured to execute the agent, and the agent and codelet are configured to communicate with each other via the network to achieve a predetermined function (Col 7, lines 1-15) (Col 10, lines 20-30).

In claim 3, Gu teaches about a system of claim 1, wherein the agent/codelet pair are preinstalled on the device prior to installation of the device on the network (Col 21, line 65-Col 22, lines 10) (Fig 8).

In claim 4, Gu teaches about a system of claim 1, wherein the device is configured to upload the agent “SCPD” to the management application, after announcing its presence to the management application. (Col 10, lines 20-30) (Col 22, lines 5-10).

In claim 5, Gu teaches about a system of claim 1, wherein the management application is configured to contact an agent/codelet source and download a new version of the at least one agent/codelet pair (Col 22, lines 15-25).

In claim 6, Gu teaches about a system of claim 5, whereupon after downloading a new version of the at least one agent to the management server, the management application upgrades the at least one agent stored on the management server and the at least one codelet stored on the device (Col 22, lines 1-25).

In claim 7, Gu teaches about a system of claim 1, wherein, in response to a command from a user, the management application is configured to adjust settings on the device (Col 22, lines 15-30).

In claim 8, Gu teaches about a system of claim 7, wherein the management application is configured to adjust the settings on the device by adding, deleting or upgrading at least one codelet on the device (Col 22, lines 55-67).

In claim 9, Gu teaches about a system of claim 1, wherein the management application is configured to enable a user to set a policy setting that governs an operation on the device (Col 29, lines 5-10).

In claim 10, Gu teaches about a system of claim 9, wherein the policy setting relates to an operation selected from a group consisting of addition, deletion, and upgrade of a codelet on the device (Col 9, lines 40-55).

In claim 11, Gu teaches about a system of claim 1, wherein in response to a command from a user, the management application is configured to subscribe to notifications of changes to at least one codelet on the device (Col 30, lines 8-17).

In claim 12, Gu teaches about a system of claim 1, further comprising a plurality of devices configured to connect to the network and communicate with the management application, wherein in response to a command from a user, the management application is configured to batch configure a set of the plurality of devices (Col 16, lines 25-45) (Col 6, lines 35-45) .

In claim 13, Gu teaches about a system of claim 1, wherein in response to a command from a user, the management application is configured to query the device for settings, and to display those settings to the user (Col 7, lines 30-45).

In claim 14, Gu teaches about a system of claim 13, wherein the management application is configured to apply a transformation rule to determine a subset of devices having a user-requested parameter, and display the settings of the subset of devices to the user (Col 9, lines 40-55).

In claim 15, Gu teaches about a system of claim 14, wherein the transformation rule is selected from the group consisting of consolidate, except, coalesce, and exclude a user-requested parameter (Col 9, lines 40-55).

In claim 16, Gu teaches about a system of claim 15, wherein the user-requested parameter to which the transformation rule is applied is selected from the group consisting of a user requested parameter, a device class, an alterable device setting, and a static device setting (Col 9, lines 40-55).

In claim 17, Gu teaches about a system of claim 1, wherein in response to a command from the user, the management application is configured to adjust the settings on a predetermined device or set of devices (Col 49, lines 55-60).

In claim 21, Gu teaches about a method for managing one or more devices connected to a computer network, the method comprising (Fig 1):

preconfiguring the device with an agent/codelet pair (Fig 8) (Col 21, line 65-Col 22, line 10).

in response to connection of a device to the network, sending a message from an embedded server on the device to a management application on a management server via a well-known address, thereby announcing the presence of the device on the network (Fig 8) (Col 22, lines 15-30).

In claim 22, Gu teaches about a method of claim 21, further comprising, sending the agent from the device to the management server (Fig 8) (Col 22, lines 1-10).

In claim 23, Gu teaches about a method of claim 22, further comprising setting a policy from the management application governing codelet operations on the device (Col 29, lines 5-10).

In claim 24, Gu teaches about a method of claim 22, further comprising subscribing from the management application for notifications of codelet changes on the device (Col 30, lines 8-17).

Claims 19 and 25 is rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,505,243 by Lortz.

In claim 19, Lortz teaches about a device management system for use with a computer network, the system comprising (Fig 1):

a management server configured to execute a management application, the management server being configured to connect to the network (Col 2, line 65 –Col 3, line 10); and

a device configured to connect to the network and communicate with the management application, the device including an embedded server and at least one agent/codelet (mini web server with installation data) pair having an agent and a codelet, wherein the embedded server is configured to automatically upload the agent to the management application of the management server (Col 5, lines 45-55) (Col 6, lines 50-60);

wherein the management application is configured to install the agent at the management server (Col 5, lines 15-30); and

wherein, after installation of the agent at the management server, the agent and the codelet are configured to communicate with each other to achieve a predetermined functionality (Col 5, lines 15-30).

Claim 25 is the method of the system of claim 19 and is rejected for the same reason as claim 19.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US patent no. 6,757,747 by Hooper, teaches about a proxy object for managing an application instance on a dataless client machine.

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US patent PUB. no. 2002/0103850 by Moyer et al, teaches about a system and method for out-sourcing the functionality of session initiation protocol (SIP) user agents to proxies.

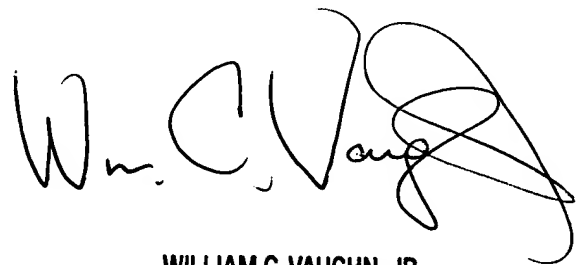
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn Jr. can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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PRIMARY EXAMINER**